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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/647,970	08/26/2003	Chih-Wei Chen	LA-7196-123	2841

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EXAMINER
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WILSON, YOLANDA L

ART UNIT	PAPER NUMBER
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2113

DATE MAILED: 03/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/647,970

Applicant(s)

CHEN, CHIH-WEI

Examiner

Yolanda L. Wilson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 1 and 5 are objected to because of the following informalities: Claims 1 and 5 include the limitation 'in the event of a system crash to the network server;'. This limitation should read 'in the event of a system crash to the network server,'. Claims 1 and 5, also include the limitation 'network server for automatically activate', which should be 'network server for automatically activating'.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1,2,4,5,6,8,9,10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gulick (US Application Number 2003/0084381A1) in view of Chaiken et al. (USPN 6587966B1). As per claim 1, Gulick discloses responding to the current operating condition of the network server at predefined intervals to thereby generate a normal-operation indicative message if the network server operates normally, and generate no normal-operation indicative message if the network server fails to operate normally; at each presence of one normal-operation indicative message, start a timing procedure to count time for a predefined timeout length, and then at the presence of the next normal-operation indicative message, resetting the current time count to origin on

page 6, paragraphs 0095-0097. Gulick discloses in the event of no presence of normal-operation indicative message during the elapsed period of the predefined timeout length, generating a System Management Interrupt signal on page 6, paragraph 0097. Gulick discloses a computer system in Figures 3A, 3B, and on page 5, paragraph 0076. Based on page 3, paragraph 0041, the computer system can be a server.

Gulick fails to explicitly state in response to the System Management Interrupt signal, activating a BIOS-based reboot procedure to thereby reboot the network server.

Chaiken discloses this limitation in column 8, lines 19-27 and column 6, lines 20-26 and 40-47.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have in response to the System Management Interrupt signal, activating a BIOS-based reboot procedure to thereby reboot the network server. A person of ordinary skill in the art would have been motivated to have in response to the System Management Interrupt signal, activating a BIOS-based reboot procedure to thereby reboot the network server because a detected error of a server requires immediate attention to reduce its downtime. Chaiken discloses this in column 1, lines 39-47 and column 3, lines 1-6.

4. As per claim 2, Gulick discloses wherein the timing procedure is performed by a watchdog timer in an I/O control chip installed on the network server on page 6, paragraph 0095.

5. As per claim 4, Gulick discloses wherein the I/O control chip is a Southbridge chip on page 6, paragraph 0088.

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6. As per claim 5, Gulick discloses a system crash responding module, which is capable of responding to the current operating condition of the network server at predefined intervals to thereby generate a normal-operation indicative message if the network server operates normally, and generate no normal-operation indicative message if the network server fails to operate normally on page 6, paragraphs 0092,0095,0096; a watchdog timer, which is capable of being activated in response to the presence of each normal-operation indicative message from the system crash responding module to start counting time from an original count for a predefined timeout length, and capable of being reset to original count at the presence of the next normal-operation indicative message from the system crash responding module, and which is capable of generating a system crash indicative System Management Interrupt signal when reaching timeout in the event of no normal-operation indicative message being received during the elapsed period of the predefined timeout length on page 6, paragraphs 0092,0095,0096,0097. Gulick discloses a computer system in Figures 3A, 3B, and on page 5, paragraph 0076. Based on page 3, paragraph 0041, the computer system can be a server.

Gulick fails to explicitly state a System Management Interrupt handling module, which is capable of being activated in response to the System Management Interrupt signal from the watchdog timer to initiate a System Management Interrupt judgment procedure to judge whether the System Management Interrupt signal is issued from the watchdog timer; if YES, the System Management Interrupt handling module activating a BIOS-based reboot procedure to thereby reboot the network server.

Chaiken discloses this limitation in column 8, lines 19-27 and column 6, lines 20-26 and 40-47.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have a System Management Interrupt handling module as disclosed above. A person of ordinary skill in the art would have been motivated to have a System Management Interrupt handling module as disclosed above because a detected error of a server requires immediate attention to reduce its downtime. Chaiken discloses this in column 1, lines 39-47 and column 3, lines 1-6.

7. As per claim 6, Gulick discloses wherein the watchdog timer is a built-in functional module in an I/O control chip installed on the network server on page 6, paragraph 0095.

8. As per claim 8, Gulick discloses wherein the I/O control chip is a Southbridge chip on page 6, paragraph 0088.

9. As per claim 9, Gulick discloses wherein the System Management Interrupt handling module is a built-in functional module in an I/O control chip installed on the network server on page 6, paragraph 0097.

10. As per claim 10, Gulick fails to explicitly state the System Management Interrupt judgment procedure is a built-in procedure in the BIOS of the network server.

Chaiken discloses this limitation in column 8, lines 19-27 and column 6, lines 20-26 and 40-47.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have a System Management Interrupt handling module

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as disclosed above. A person of ordinary skill in the art would have been motivated to have a System Management Interrupt handling module as disclosed above because a detected error of a server requires immediate attention to reduce its downtime. Chaiken discloses this in column 1, lines 39-47 and column 3, lines 1-6.

11. Claims 3,7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gulick (US Application Number 2003/0084381A1) in view of Chaiken et al. (USPN 6587966B1) in view of Tran (USPN 6253319B1). As per claim 3, Gulick and Chaiken fail to explicitly state wherein the I/O control chip is a Super I/O chip.

Tran discloses this limitation in column 4, lines 42-49.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have the I/O control chip be a Super I/O chip. A person of ordinary skill in the art would have been motivated to have the I/O control chip be a Super I/O chip because a Super I/O chip is used to monitor system components by means of a timer. Tran discloses this in column 4, lines 45-47.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yolanda L. Wilson whose telephone number is (571) 272-3653. The examiner can normally be reached on M-F (7:30-4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Beausoliel can be reached on (571) 272-3645. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Yolanda L Wilson  
Examiner  
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